

REMARKS

Claims 1-7, 9-18, 20 and 23-28 are currently pending in this application. Claims 8, 19, 21 and 22 have been cancelled without prejudice. Claim 11 has been amended to recite that the soft needle catheter is injection moulded according to the method of claim 1. Claims 7 and 18 have been amended to remove the term "ECDEL." No new matter has been added in these changes.

Favorable reconsideration is respectfully requested.

I. Restriction Requirement

Applicants confirm the election of invention I directed to method claims 1-7, 9-10 and 23, without traverse. Applicants respectfully request rejoinder of the apparatus claims 11-18, 20 and 24-28 that recite that the soft needle catheter is injection moulded according to the method of claim 1.

II. Claim Rejections under 35 U.S.C. §112

Claim 7 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for inclusion of the term "ECDEL."

Applicants have deleted the term "ECDEL" from claims 7 and 18. Therefore, Applicants respectfully request that the rejection of claim 7 under 35 U.S.C. §112, second paragraph, be withdrawn.

III. Double Patenting Rejection

Claims 1-7, 9-10 and 23 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-21 of U.S. 7,431,876.

Applicants have filed herewith a terminal disclaimer disclaiming the terminal part of the statutory term of claims 1-7, 9-10 and 23.

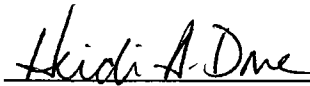
Therefore, Applicants respectfully request that the obviousness-type double patenting rejection of claims 1-7, 9-10 and 23 be withdrawn.

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IV. Summary

Applicants respectfully assert that the claims are in condition for allowance. Allowance of the claims is earnestly solicited. Should the Examiner wish to discuss any of the above submissions in more detail, the Examiner is asked to please call the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Heidi A. Dare", is written over a horizontal line.

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